

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**No. 21-cr-20187-MSN**

**JASON TURNER,**

**Defendant.**

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**REPORT AND RECOMMENDATION ON DEFENDANT'S MOTION TO SUPPRESS**

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Before the Court is Defendant's Motion to Suppress any and all evidence and the fruits thereof gathered as a result of an encounter with law enforcement on February 24, 2020. (D.E. #20). Defendant's Motion was filed on January 21, 2022 and was referred by District Judge Mark S. Norris for report and recommendation on January 24, 2022 (D.E. #21). A response to the Motion<sup>1</sup> was filed by the United States on February 3, 2022. (D.E. # 22) A hearing on the Motion was held on February 23, 2022 at which time the Court heard the testimony of Brian Scott, Jonathan Bond and Jason Turner as well as arguments of counsel.

Based upon the motion, response, testimony of witnesses, statements of counsel and for the reasons stated in open court on February 23, 2022, it is recommended that defendant's Motion to Suppress evidence be GRANTED. A transcript of the Court's oral ruling (D.E. # 27) will serve as written proposed findings of fact and recommended conclusions of law and is incorporated by reference.

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<sup>1</sup> The response of the United States is erroneously filed as a motion on the docket.

Signed this 24<sup>th</sup> day of February, 2022.

s/ Charmiane G. Claxton  
CHARMIANE G. CLAXTON  
UNITED STATES MAGISTRATE JUDGE

**ANY OBJECTIONS OR EXCEPTIONS TO THIS REPORT MUST BE FILED WITHIN FOURTEEN (14) DAYS AFTER BEING SERVED WITH A COPY OF THE REPORT. 28 U.S.C. § 636(b)(1)(C). FAILURE TO FILE SAID OBJECTIONS OR EXCEPTIONS WITHIN FOURTEEN (14) DAYS MAY CONSTITUTE A WAIVER OF OBJECTIONS, EXCEPTIONS, AND ANY FURTHER APPEAL.**